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ATTN. Ramy M. Osman

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FROM Volel Emile, Esq.

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SUBJECT Notice of Appeal (09/964,999)

Number of Pages 6

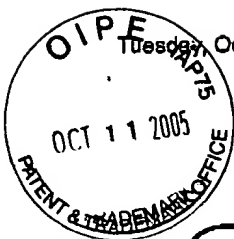
Date 10/11/2005

MESSAGE

This fax communication contains:

1. one copy of a Fax Transmittal Form; and
2. two copies of the Notice of Appeal, including fee.

Volel



Tuesday, October 11, 2005 1:52 PM

Volei Emile, Esq. (512) 306-0240

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PTO/SB/21 (02-04)

Approved for use through 07/31/2008. OMB 0681-0031
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| | | |
|---|----------------------|--------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/584,899 |
| | Filing Date | 08/27/2001 |
| | First Named Inventor | Samir F. Abdelhedi |
| | Art Unit | 2157 |
| | Examiner Name | Ramy M. Osman |
| Attorney Docket Number | AUS820010901US1 | |
| Total Number of Pages in This Submission | | |

| ENCLOSURES (Check all that apply) | | |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks Notice of Appeal. | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|-------------|
| Firm or Individual name | Volei Emile |
| Signature | |
| Date | 10/11/2005 |

| CERTIFICATE OF TRANSMISSION/MAILING | |
|---|-------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | |
| Typed or printed name | Volei Emile |
| Signature | |
| Date | 10/11/2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Appl. No. 09/964,999
Notice of Appeal dated 10/11/2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: :
Sanaa F. Abdelhadi :
Serial No: 09/964,999 : Before the Examiner:
 : Remy M. Osman
 :
Filed: 09/27/2001 : Group Art Unit: 2157
 :
Title: APPARATUS AND METHOD : Confirmation No.: 2723
OF ASCERTAINING REMOTE :
SYSTEMS ACCESSIBILITY BEFORE :
RUNNING REMOTE COMMANDS :

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OCT 12 2005

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicants hereby appeal to the Board of Appeals from the Decision of the Primary Examiner of July 25, 2005 finally rejecting claims 1 - 20.

In a telephone conversation on September 19, 2005 with Applicants' attorney, the Examiner agreed to enter an Examiner's amendment to cancel Claims 3, 4, 8, 9, 13, 14, 18 and 19 which are either presently rejected (i.e., Claims 3, 8, 13 and 18) or will be rejected (i.e., Claims 4, 9, 14 and 19) under 35 U.S.C. §112, first paragraph. Further, Claims 5, 10, 15 and 20 will be amended to ensure that they no longer depend on canceled claims. This Examiner's amendment will be entered in the Examiner's Reply Brief. The Examiner is greatly thanked for having agreed to do so.

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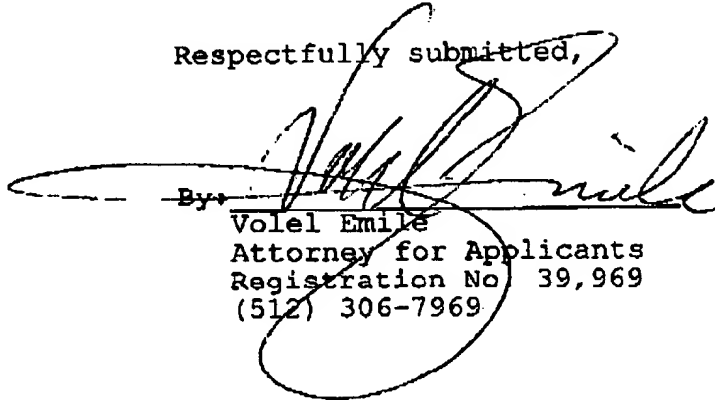


Appl. No. 09/964,999
Notice of Appeal dated 10/11/2005

The item(s) marked below are appropriate:

1. ☐ A petition and fee for extension of term for reply to the final rejection is attached.
2. ☒ Appeal fee
☒ other than a small entity. Fee: \$500.00
3. ☒ Payment
☒ Please charge Deposit Account 09-0447 the sum of \$500.00. A duplicate of this notice is attached.

Respectfully submitted,


By: Volel Emile
Volel Emile
Attorney for Applicants
Registration No. 39,969
(512) 306-7969

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